IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 21970 of 2004

Between:

M/s.Doon Residential School, Ogulapur, Warangal District, rep.by

its Correspondent, S.Shobhan Babu, Doon Residential School,
R/o.Ogulapur, Warangal District.

... PETITIONER

AND

1 The Assistant Provident Fund Commissioner, and Authority under

Section 7-A of the Employees Provident Funds and Miscellaneous

Provisions Act 1952, Sub-Regional office, Balasamudram,

Hanamkonda, Warangal District.
2 The Recovery officer, Employees Provident Fund Organisation, sub-

Regional Office, Balasamudram, Hanamkonda,
Warangal Dist.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the order dated 10-03-2004 made in AP/SRO/WL/ENF/23089/WGL/7A ORDER/2003-04/4952 passed by the 1st Respondent and the certificate under section 8B of the Employees Provident Funds and Miscellaneous provisions Act 1952 made in AP/SRO/ENG/23089/2004-05/100

in R.C.No.08/2004 Dated: 27-04-2004 as illegal, arbitrary and contrary to the provisions of Employees provident Funds and Miscellaneous provisions Act, 1952.

Counsel for the Petitioner: MR.A.PRABHAKAR RAO

Counsel for the Respondents: MR.R.N.REDDY

The Court, at the admission stage, made the following:

ORDER:

The impugned order passed by the first respondent under Section 7-A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (for short 'the Act') and the Certificate issued by him under Section 8-B of the Act are challenged in the present writ petition.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents and both of them have consented to the disposal of the writ petition at the stage of admission itself.

3. Learned counsel for the petitioner submitted that petitioner is ready to pay the demanded amount of Rs. 4,29,160/- in 10 monthly installments, which would start from 05-12-2004. The learned Standing Counsel for the respondents expressed no objection for payment of the amounts in installments.

4. In view of the same, petitioner is hereby directed to pay the demanded amount in 10 monthly installments starting from 05-12-2004, and if the petitioner fails to pay the installments, the respondents are at liberty to proceed further in the matter.

With the above direction, the writ petition is disposed of at the admission stage.

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N. V. RAMANA, J

November 30, 2004

MRR/GSN

To:

1 The Assistant Provident Fund Commissioner, and Authority under

Section 7-A of the Employees Provident Funds and Miscellaneous

Provisions Act 1952, Sub-Regional office, Balasamudram,

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3 Two C.D. Copies.